

Applic. No. 10/536,581
Amdt. dated June 14, 2007
Reply to Office action of March 14, 2007

Drawing Amendments

The attached sheet of drawings includes changes to Fig. 1A. This sheet which includes Figs. 1A and 1B, replaces the original sheet including Figs. 1A and 1B. In Fig. 1A, previously omitted reference symbol 10 and hidden lines designating the shortened tip were added.

Please approve the drawing changes that are marked in red on the accompanying "Annotated Sheet Showing Changes" of Figs. 1A and 1B. A formal "Replacement Sheet" of amended Fig. 1A is also enclosed.

Attachments: Replacement Sheet
Annotated Sheet Showing Changes

Applic. No. 10/536,581
Amdt. dated June 14, 2007
Reply to Office action of March 14, 2007

Remarks/Arguments:

Reconsideration of the application is requested.

Claims 12-19 and 21-25 remain in the application. Claims 12, 17, 18, and 24 have been amended. Claim 20 is being cancelled herewith.

In the fourth paragraph on page 2 of the above-identified Office action, the drawings have been objected to under 37 CFR 1.83(a).

More specifically, the Examiner has stated that devices for axial and/or rotational displacement in claim 12, cup springs of claim 20, toothing profile of the straight-toothed planetary gearwheel with a tip thereof shortened, as a shaft profile for the axial guidance of one or of both half wheels by way of a corresponding inner profile on the shaft of claim 21, adjusting plates of claim 22, and devices to orient said second half wheel with respect to said first half wheel of claim 24, must be shown or cancelled from the claims.

Regarding claim 12, the drawings have been amended to include the adjusting plate "10" and the shortened tips of the

Applic. No. 10/536,581
Amdt. dated June 14, 2007
Reply to Office action of March 14, 2007

straight-toothed gearwheel. Therefore, the drawings show the devices for axial and or rotational displacement.

Accordingly, the objection to the drawing by the Examiner pertaining to claim 12 has been overcome.

Claim 20 has been cancelled. Therefore, the objection to the drawing by the Examiner pertaining to claim 20 is moot.

Fig. 1a has been changed to show the feature of claim 21 that the toothing profile of the straight-toothed planetary gearwheel with a tip thereof shortened, as a shaft profile for the axial guidance of one or of both half wheels by way of a corresponding inner profile on the shaft. Accordingly, the objection to the drawing by the Examiner pertaining to claim 21 has been overcome.

Fig. 1a has been amended to include the reference numeral "10", which designates the adjusting plate. Accordingly, the objection to the drawing by the Examiner pertaining to claim 22 has been overcome. The specification has also been amended to reflect the change.

With respect to claim 24, applicants note that Fig. 1 has been amended to designate the plate and the shortened toothing of the straight-toothed gearwheel. Both of these features are

Applic. No. 10/536,581
Amdt. dated June 14, 2007
Reply to Office action of March 14, 2007

devices to orient said second half wheel with respect to said first half wheel. Accordingly, the objection to the drawings by the Examiner with respect to claim 24 has been overcome.

In the last paragraph on page 3 of the above-identified Office action, the abstract has been objected to because of the purported merits therein.

The Examiner alleges that "result in a low-noise and low-loss torque transmission with uniform load distribution to the individual planet unit" should be removed from the abstract. The abstract has been amended as suggested by the Examiner. Therefore, the objection to the specification by the Examiner has been overcome.

In the first paragraph on page 4 of the Office action, the disclosure has been objected to because of the following informalities.

The Examiner alleges that the specification makes reference to specific claims on page 7, lines 11-12. The specification has been amended to delete the reference to specific claims. Therefore, the objection to the disclosure by the Examiner is moot.

Applic. No. 10/536,581
Amdt. dated June 14, 2007
Reply to Office action of March 14, 2007

In the third paragraph on page 4 of the Office action, claim 20 has been objected to because of the following informalities.

The Examiner stated that "utilizing cup springs as spring element" should be changed to "utilizing cup springs as a spring element". As noted above, claim 20 has been cancelled. Therefore, the objection to claim 20 by the Examiner is moot.

In the penultimate paragraph on page 4 of the above-identified Office action, claims 12-25 have been rejected as being indefinite under 35 U.S.C. § 112.

The Examiner alleges that the terms "low loss" and "low-noise" in claim 12 render the claim indefinite. Claim 12 has been amended so as to facilitate prosecution of the application. Therefore, the rejection has been overcome.

The Examiner alleges that "an output shaft" in lines 7-8 appears to be a double inclusion of the "an output shaft" in line 3. Claim 12 has been amended so as to further clarify the claim. Therefore, the rejection has been overcome.

The Examiner alleges that there is insufficient antecedent basis for "the straight-toothed planetary gearwheel" of line

Applic. No. 10/536,581
Amdt. dated June 14, 2007
Reply to Office action of March 14, 2007

9. Claim 12 has been amended so as to further clarify the claim. Therefore, the rejection has been overcome.

The Examiner alleges that "a ringwheel" in lines 9-10 appears to be a double inclusion of "a ringwheel" recited in line 5. Claim 12 has been amended so as to further clarify the claim. Therefore, the rejection has been overcome.

The Examiner alleges that there is insufficient antecedent basis for the "planet shaft" in claims 12 and 24. Claims 12 and 24 have been amended so as to further clarify the claims. Therefore, the rejection has been overcome.

The Examiner alleges that there is insufficient antecedent basis for the "planet shaft" in claims 16-18 and 23. As noted above, claim 12 has been amended. Therefore, the rejection of claims 16-18 and 23 has been overcome.

The Examiner alleges that in claim 17 it is unclear what the limitation "non-positively connecting" is referring to. The Examiner alleges that in claim 18 it is unclear what the limitation "positively connecting" is referring to.

Applic. No. 10/536,581
Amdt. dated June 14, 2007
Reply to Office action of March 14, 2007

Claims 17 and 18 have been amended so as to facilitate prosecution of the application. Therefore, the rejection of claim 17 and 18 has been overcome.

The Examiner alleges that in claim 20 it is unclear how cup springs are utilized as a spring element. As noted above, claim 20 has been cancelled. Therefore, the rejection of claim 20 has been overcome.

The Examiner alleges that in claim 21 it is unclear how the toothing profile is structured and related to the shaft. Applicants respectfully disagree with the Examiner. Specifically, the claim requires that the toothing profile of the straight-toothed planetary gearwheel has the tips shortened and which is used as a spline-type mounting for the half wheels. Accordingly, claim 21 has not been amended to overcome the rejection.

The Examiner alleges that the terms "relatively low" and "relatively high" in claim 24 render the claim indefinite. Claim 24 has been amended so as to further clarify the claim. Therefore, the rejection has been overcome.

It is accordingly believed that the specification and the claims meet the requirements of 35 U.S.C. § 112, second

Applic. No. 10/536,581
Amdt. dated June 14, 2007
Reply to Office action of March 14, 2007

paragraph. Should the Examiner find any further objectionable items, counsel would appreciate a telephone call during which the matter may be resolved. The above-noted changes to the claims are provided solely for cosmetic or clarificatory reasons. The changes are not provided for overcoming the prior art nor for any reason related to the statutory requirements for a patent.

In the third paragraph on page 7 of the Office action, claims 12, 13, 15, 16, 18, 19, 21, and 23-25 have been rejected as being fully anticipated by Thorton (UK 622,905) under 35 U.S.C. § 102.

As will be explained below, it is believed that the claims were patentable over the cited art in their original form and the claims have, therefore, not been amended to overcome the references.

Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful.

Claims 12 and 23 call for, *inter alia*:

rigidly connecting a straight-toothed planetary gearwheel meshing with the ringwheel and one of two oppositely helix-

toothed half wheels of a double gearwheel, meshing with the sun pinion, of each planetary unit to one another on a planet shaft.

The Thorton reference discloses each of the shafts (19) carries a gear (22) or (22') keyed or otherwise fixed thereto. Gears (22) constitute a symmetrical group of three equally spaced gears disposed in a common plane and respectively fixed to alternate shafts (19), while gears (22') constitute a similar symmetrical group of three in a common plane offset from the first-mentioned group and respectively fixed to the remaining shafts (19). Therefore, Thorton explicitly discloses that the gears (22 and 22') are not disposed on a common planet shaft.

The Examiner alleges on pages 7-8 of the Office action that Thorton discloses "one of two oppositely helix-toothed half wheels of a double gearwheel (22, 22'), meshing with the sun pinion (24, 24'), of each planetary unit to one another on a planet shaft (19)."

It is respectfully noted that the Examiner's allegation is not correct. More specifically, as seen from the above-given remarks, Thorton discloses two separate gearwheels (22, 22') each mounted on their own respective shaft. Accordingly, the

gearwheels (22, 22') are not one of two oppositely helix toothed half wheels of a double gearwheel, which are disposed on a common planet shaft. Accordingly, it is respectfully noted that the Examiner's allegations with respect to the gearwheels (22, 22') of Thorton, are not accurate.

The reference does not show rigidly connecting a straight-toothed planetary gearwheel meshing with the ringwheel and one of two oppositely helix-toothed half wheels of a double gearwheel, meshing with the sun pinion, of each planetary unit to one another on a planet shaft, as recited in claims 12 and 23 of the instant application. The Thorton reference discloses that helical gears are separate gears fixed on different shafts. Thorton does not disclose that the gears are oppositely helix-toothed half wheels of a double gearwheel disposed on a common planet shaft. This is contrary to the invention of the instant application as claimed, which recites rigidly connecting a straight-toothed planetary gearwheel meshing with the ringwheel and one of two oppositely helix-toothed half wheels of a double gearwheel, meshing with the sun pinion, of each planetary unit to one another on a planet shaft

Applic. No. 10/536,581
Amdt. dated June 14, 2007
Reply to Office action of March 14, 2007

Since claims 12 and 24 are allowable over Thorton, dependent claims 13, 15, 16, 18, 19, 21, 23, and 25 are allowable over Thorton as well.

In the fifth paragraph on page 10 of the Office action, claims 12, 13, 15, 17, 21, and 23-25 have been rejected as being obvious over Baker (U.S. Patent No. 3,245,2790 in view of Thorton (UK 622,905) under 35 U.S.C. § 103.

It is a requirement for a *prima facie* case of obviousness, that the prior art references must teach or suggest all the claim limitations.

The references do not show or suggest rigidly connecting a straight-toothed planetary gearwheel meshing with the ringwheel and one of two oppositely helix-toothed half wheels of a double gearwheel, meshing with the sun pinion, of each planetary unit to one another on a planet shaft, as recited in claims 12 and 23 of the instant application.

The Examiner correctly stated on page 11 of the Office action that Baker does not disclose oppositely helix-toothed half wheels.

Applic. No. 10/536,581
Amdt. dated June 14, 2007
Reply to Office action of March 14, 2007

As seen from the above-given remarks with respect to the anticipation rejection, Thorton does not disclose rigidly connecting a straight-toothed planetary gearwheel meshing with the ringwheel and one of two oppositely helix-toothed half wheels of a double gearwheel, meshing with the sun pinion, of each planetary unit to one another on a planet shaft. Therefore, Thorton does not make up for the deficiencies of Baker.

The references applied by the Examiner do not teach or suggest all the claim limitations. Therefore, it is respectfully noted that the Examiner has not produced a *prima facie* case of obviousness.

Since claims 12 and 24 are allowable over Baker in view of Thorton, dependent claims 13, 15, 17, 21, 23, and 25 are allowable over Baker in view of Thorton as well.

In the fourth paragraph on page 14 of the Office action, claims 13-17 and 19 have been rejected as being obvious over Baker (U.S. Patent No. 3,245,2790 in view of Thorton (UK 622,905) and further in view of Bennett et al. (U.S. Patent No. 3,307,433) (hereinafter "Bennett") under 35 U.S.C. § 103. Bennett does not make up for the deficiencies of Baker and

Applic. No. 10/536,581
Amdt. dated June 14, 2007
Reply to Office action of March 14, 2007

Thorton. Since claim 12 is allowable, dependent claims 13-17 and 19 are allowable as well.

In the first paragraph on page 16 of the Office action, claims 13 and 19-20 have been rejected as being obvious over Baker (U.S. Patent No. 3,245,2790 in view of Thorton (UK 622,905) and further in view of Geiger (U.S. Patent No. 3,636,789) under 35 U.S.C. § 103. Geiger does not make up for the deficiencies of Baker and Thorton. Since claim 12 is allowable, dependent claims 13 and 19-20 are allowable as well.

In the first paragraph on page 17 of the Office action, claims 13, 15-17, and 22 have been rejected as being obvious over Baker (U.S. Patent No. 3,245,2790 in view of Thorton (UK 622,905) and further in view of Morrow et al. (U.S. Patent No. 6,189,397) (hereinafter "Morrow") under 35 U.S.C. § 103. Geiger does not make up for the deficiencies of Baker and Thorton. Since claim 12 is allowable, dependent claims 13, 15-17, and 22 are allowable as well.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claim 1. Claim 1 is, therefore, believed to be patentable over the art and since

Applic. No. 10/536,581
Amdt. dated June 14, 2007
Reply to Office action of March 14, 2007

all of the dependent claims are ultimately dependent on claim 1, they are believed to be patentable as well.

In view of the foregoing, reconsideration and allowance of claims 12-19 and 21-25 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel respectfully requests a telephone call so that, if possible, patentable language can be worked out.

If an extension of time for this paper is required, petition for extension is herewith made.

Applic. No. 10/536,581
Amdt. dated June 14, 2007
Reply to Office action of March 14, 2007

Please charge any other fees which might be due with respect
to Sections 1.16 and 1.17 to the Deposit Account of Lerner
Greenberg Stemer LLP, No. 12-1099.

Respectfully submitted,



For Applicant(s)

Alfred K. Dassler
52,794

AKD:cgm

June 14, 2007

Lerner Greenberg Stemer LLP
Post Office Box 2480
Hollywood, FL 33022-2480
Tel: (954) 925-1100
Fax: (954) 925-1101



FIG. 1A

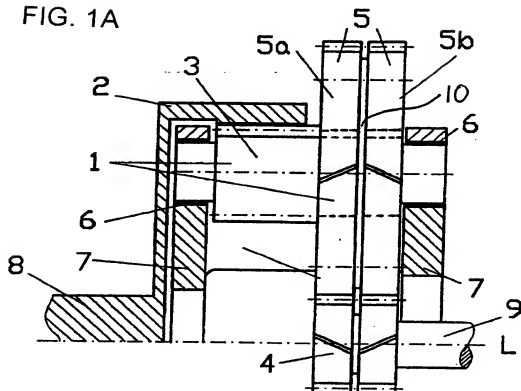


FIG. 1B

